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NOV 15 2005

PATENT

Docket No. 275.00070101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): HSU et al.) Group Art Unit: 1642
)
Serial No.: 10/732,782) Examiner: Audrey S. Pham
Confirmation No.: 6883)
)
Filed: December 10, 2003)
)
For: **CHEMOPREVENTIVE AND THERAPEUTIC ASPECTS OF POLYPHENOLIC
COMPOSITIONS AND ASSAYS**

FACSIMILE TRANSMISSION TO THE PTO

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

FAX NUMBER: (571) 273-8300
Total Pages (including cover page): 3
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RESPONSE TO RESTRICTION REQUIREMENT (2 PGS)

X Small Entity Status is entitled to be asserted in the above-identified application.

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

Mueeting, Raasch & Gebhardt, P.A.
Customer Number: 26813

November 14, 2005
Date

By: Nancy A. Johnson
Nancy A. Johnson
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CERTIFICATE UNDER 37 C.F.R. §1.8: The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to the Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15 day of NOV, 2005, at 8:20 A.M. (Central Time).

11-15-05
Date

Signature: Sandy Truehart
Name: Sandy Truehart

If you do not receive all pages, please contact us at (612)305-1220 (ph) or (612)305-1228 (fax).

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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed **October 19, 2005**, Applicants elect, with traverse, Group V (claims 10 and 11), drawn to a method of determining the therapeutic effectiveness of an agent comprising contacting cells with an agent determining the p57/KIP2 levels and comparing the normal cells with the cancer cells.

Applicants' Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications. Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner. In particular, Applicants respectfully request the rejoinder of Groups I-IV, XIII, and XIV along with Group V. Applicants respectfully submit that the search and examination of the methods of Groups I-IV (drawn to methods involving "determining the p57/KIP2 level in the cancer cells after contact with an agent") and the methods of Groups XIII and XIV (drawn to a method including co-culturing normal and tumor cells and contacting the co-cultured cells with an agent) would be co-extensive

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Response to Restriction Requirement

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with the search for Group V and that the search and examination of Groups I-IV, XIII, and XIV along with Group V would not present an undue burden on the Examiner.

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15 day of Nov, 2005, at 8:20 A.M. (Central Time).

Sandy Truehart
Name: Sandy Truehart

November 14, 2005
Date

Respectfully submitted for
HSU et al.

By

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